# The Doubts Regarding the Ruling of Democracy In Islām

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Allāh, the Most High, says: **"Those who listen to the Word [good advice *Lā ilāha ill-Allāh* (none has the right to be worshipped but Allāh) and *Islāmic* Monotheism, etc.] and follow the best thereof (i.e. worship Allāh Alone, repent to Him and avoid *Tāghūt*, etc.) those are (the ones) whom Allāh has guided and those are men of understanding."** [39:18].

## Introduction:

Verily, all praise is due to Allāh and may the Peace and Blessings of Allāh be upon our Prophet Muhammad and upon his family and his companions until the Last Day.

To proceed:

Recently, a debate between our religiously committed brothers has erupted on the Internet regarding the permissibility of participating in democratic elections in the West. An article entitled "*To Vote or Not to Vote*" and another entitled "*Why Vote, and Who to Vote For?*" in particular have raised several points, which we feel are necessary to address as well as certain others related to Democracy and participation in the electoral process in general.

In this short address, we will attempt to offer some clarification on the issue with the hope of refuting some claims and correcting some errors of the authors of these articles as well as addressing some of the more common mistakes related to this topic overall. In approaching the topic of Muslims participating in democratic elections, certain introductory points must be made. It is our intention to be very brief in these points as to avoid dwelling upon them and we only mention them for later reference in discussing the core issue of dispute regarding the permissibility of participating in the democratic elections.

## A Brief Explanation of Democracy and its Inherent Kufr and Manifest Shirk:

The word Democracy comes from the Greek words '*demos*', which means 'people' and '*cratus*', which means 'governance'. It is a system wherein the people legislate for themselves, by means of their appointed representatives, in a council or parliament, which is established for the purpose of implementing the laws and policies that reflect the desires of the majority of people of that region. 'AbdulWahhāb Al-Kilālī said, "All the democratic systems are based on one

ideology, which is that the authority is ascribed to the people, to whom the mastership belongs. In conclusion, democracy is the principle of the mastership of the people." [1] It is, as Abraham Lincoln put it, 'The rule of the people, by the people, for the people'.

Therefore it is a system, which is at odds with the very essence of Allāh's exclusive right of legislation and as such it steps outside the mere disobedience of Allāh into the realm of *Shirk*, in that it seeks to elevate mankind to the level of the Legislator (i.e. Allāh).

Allāh, the Most High, said:

**"And Allāh judges, there is none to put back His Judgment and He is swift at reckoning."** [2]

And He, the Most High, said:

**"Have they other associates who have prescribed another law for them that has not been issued by Allāh?"** [3]

And because the people are the ones who select the laws, by means of their representatives, these laws are based upon what the people wish and they are in accordance with the desires of the majority, rather than what Allāh has revealed. Allāh, the Most High, said:

**"Have you seen him who has taken as his *Ilāh* (god) his own desire? Would you then be a *Wakīl* (a protecting guide) over him? Or do you think that most of them hear and understand? They are only like cattle – nay; they are even farther astray from the path."** [4]

Therefore the usurpation of this right by humanity sets them up as false deities (*Tawāghīt*) besides Allāh, by which they legislate laws and judge upon matters in opposition to His revelation. And for this reason, Allāh, the Most High, referred to any person or system that does not rule by what Allāh has revealed, as a '*Tāghūt*'(i.e. false deity):

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[1] "*Mawsū'at As-Siyāsah*", Vol. 2/756

[2] *Ar-R'ād*, 41

[3] *Ash-Shurah*, 21

[4] *Al-Furqān*, 43-44

Allāh, the Most High, said:

**"Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgment (in their disputes) to the *Tāghūt* (false judges, etc.) while they have been ordered to reject them."** [5]

*Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, said: "The person who is obeyed in disobedience of Allāh or the person who is obeyed in following other than the guidance of the religion of truth; in either case, if what he orders mankind is in opposition to Allāh's orders, then he is a *Tāghūt*. For this reason, we call the people who rule by other than what Allāh revealed, a '*Tāghūt*'." [6]

And Ibn Al-Qayyim, may Allāh be merciful to him, said: "So a *Tāghūt* refers to all people who rule by other than what Allāh or His Messenger rule. This would also apply in the case that the people worship him besides Allāh or they follow him without sight from Allāh or they obey him when they aren't sure if they are obeying Allāh. So these are the *Tawāghīt* of the world and if you look at them and see the condition of the people with them, you will see that most of them have switched from worshipping Allāh to worshipping the *Tāghūt*; from ruling by what Allāh and His Messenger ruled, to the ruling of the *Tāghūt*, and from obeying Him and His Messenger to obeying the *Tāghūt* and following him." [7]

Muhammad Al-Amīn Ash-Shanqītī may Allāh be merciful to him, said, "And with these Heavenly texts that we have mentioned, it becomes quite clear that the ones who follow the fabricated laws, which the *Shaytān* has legislated upon the tongues of his allies and which oppose that which Allāh, the Powerful, the Most High, has legislated upon the tongues of His Messengers, peace be upon them, that no one doubts their *Kufr* and their *Shirk* except he whom Allāh has removed his sight and has blinded them to the light of the revelation as they are." [8]

And because most religiously-committed Muslims are aware that the fundamental goal of democracy is to rule the masses based on the desires of the majority, as opposed to the revelation of Allāh, we do not need to spend much

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[5] *An-Nisā'*, 60

[6] "*Al-Fatāwa*", Vol. 28/200

[7] "*'I'lām Al-Muwāqqi'īn*", Vol. 1/50

[8] Look to "*Adhwā' Al-Bayān*", Vol. 4/82-85

time explaining the *Kufr* of this system in general. [9] And if the reader is not sufficiently convinced of this from the beginning, then I recommend that he read a more basic and comprehensive essay or book dealing with the *Islāmic* ruling on Democracy, because our goal here is to specifically address the issue of participating in democratic elections and not to delve into the more complex and detailed subject of the entire democratic system. [10]

## The Electoral Process and its Implications Upon the Voters

Certainly, the system of Democracy is dependant upon the masses to participate in elections so that it can be clarified which candidates are to represent them in the councils and parliaments. This electoral process is also essential in determining the ruling party and the President or Prime Minister of the country.

Because the system is founded on the masses choosing leaders to legislate laws and implement policies on their behalf, the entire democratic process could not exist without elections. If it weren't for the participation of the masses in the electoral process, Democracy would not be possible to implement as there would be no one to vote for any candidates and therefore their would be no elected members of parliament to act on the people's behalf in legislation and government policy.

'Abdulwahhāb Al-Kilālī said, "It means that the people, to whom the mastership belongs, do not practice the authority of legislating themselves. Rather, they grant it to the Members of Parliament whom they elect for a specific period and appoint to represent them in practicing this authority on their behalf." [11]

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[9] Even the author of "*To Vote or Not to Vote*" seemed to at least concede that fundamentally, it is impermissible to enter into a democratic system, at the outset when he said: "This modern day construct is very different from the *Islāmic* position, for indeed the right of legislation is due only to our Creator, the Al-Mighty. Therefore, by entering a system of rule which is based upon other than the *Sharī'ah* and more importantly, often contradicts and sometimes even opposes the *Sharī'ah*, then it is a consensus of the Muslim scholars that ruling by it is impermissible."

[10] Some of these more comprehensive works on the general subject of Democracy include "*Ad-Dīmuqrātiyyah Dīn*" (i.e. "Democracy: A Religion") by the *Shaykh*, Abū Muhammad 'Āsim Al-Maqdisī, and the book "*Hukm Al-Islām Fī Ad-Dīmuqrātiyyah Wa At-Ta'ddudiyyah Al-Hizbiyyah* ", by the *Shaykh*, Abū Basīr Mustafā Halīmah and the essay of the *Shaykh*, 'Abdul-Qādir Ibn 'Abdil-'Azīz, within his chapter on "The Intention" from "*Al-Jāmi Fī Talab Al-'Ilm Ash-Sahrīf* " volume 1, pages 146 and what follows it (to be fully translated soon, *Inshā' Allāh*). And in them is a reply to other doubts which have been brought up, e.g. that democracy is *Shūrah* and the story of Negus amongst several others.

[11] "*Mawsū'at As-Siyāsah*", Vol. 2/757

*Shaykh* Abū Basīr Mustafā Halīmah said, "Firstly, Democracy is founded upon the principle that the masses are the source of power. And included in that is the power of legislation **and that takes place by means of selecting representatives for the general population who take their place in the duty of legislation and the creation of laws.** And in other words, the legislator and the obeyed one in Democracy is the human and not Allāh. And this means that the one who is worshipped and obeyed in the issue of legislation and the permitting and the prohibiting is the masses and the human and the creation and not Allāh, the Most High. And this is the essence of *Kufr* and *Shirk* and misguidance, due to its contradiction to the fundamentals of the religion and its *Tawhīd*. And it results in the association of the weak, ignorant human with Allāh in the most unique characteristic of *Ilāhiyyah* (i.e. devoted worship), which is the ruling and the legislation." [12]

So the reality is that these Members of Parliament, which act upon the will of the majority and take their place to legislate laws etc., can only do so when the masses elect them to the positions to do so. And if we conclude that these Members of Parliament commit *Shirk* and *Kufr* by legislating laws besides Allāh, then what would be said about the people who elect them for this job, knowing that this candidate will be engaging in the formation of man-made laws on behalf of the people who elect him?

And the *Shaykh*, 'Abdul-Qādir Ibn 'Abdil-'Azīz, said, "As for those amongst the people who vote for them (i.e. Members of Parliament), they are committing *Kufr* as well, because according to the representative democracy, the voters are in reality delegating them to practice the mastership of *Shirk* – legislating beside Allāh – on their behalf. Thus the voters give the members of parliament the right to implement *Shirk*, and set them up – through their voting – as legislating lords beside Allāh. Allāh, the Most High, says: **"Nor would he order you to take Angels and Prophets for lords (gods). Would he order you to disbelieve after you were Muslims."** [13] So if a person who takes Angels and Prophets as lords has become a *Kāfir*, how then about the person who takes the Members of Parliament for that? Likewise, this is also implied in His saying: **"Say: O people of the scripture, come to a word that is just between us and you, that we worship none but Allāh, and that we associate no partners with Him, and none of us shall take each other as lords besides Allāh."** [14] Consequently, taking

[12] "*Hukm Al-Islām Fī Ad-Dīmuqrātiyyah Wa At-Ta'ddudiyyah Al-Hizbiyyah* ", Pg. 28

[13] *Āl-Imrān*, 80

[14] *Āl-Imrān*, 64

people as lords beside Allāh is a *Shirk* and a disbelief in Allāh and that is what those who vote for the members of parliament are doing." [15]

And this action falls into the description of the known rule: "Supporting *Kufr* is *Kufr*", because the one who assists or enables the people to commit *Shirk* or *Kufr*, knowingly, takes the same ruling as the one who commits the *Shirk* or *Kufr* itself. And this rule is consistent with what Allāh, the Most High, said about those who remain present while His verses are mocked:

**"And it has already been revealed to you in the Book (this *Qur'ān*) that when you hear the Verses of Allāh being denied and mocked at, then sit not with them, until they engage in a talk other than that; (but if you stayed with them) certainly in that case you would be like them. Surely, Allāh will collect the hypocrites and disbelievers all together in Hell."** [16]

And Ash-Shawkāni said, "His statement: **…certainly in that case you would be like them.** In other words, 'If you do that and do not prevent (it) then you are the same as them in the *Kufr*." [17]

And the *Shaykh*, Sulaymān Ibn 'Abdillāh Ibn Muhammad Ibn 'Abdil-Wahhāb, may Allāh be merciful to him, said, "The meaning of this verse is just as it appears. It means that if a man hears the verses of Allāh being disbelieved in or made fun of and sits among those disbelieving ones who are making fun of (them) without being compelled to, and does not prevent them and does not leave them until they begin to talk about (a different subject), then he is a *Kāfir* like them, even if he does not take part in this act, because this indicates his pleasure with *Kufr*. And being pleased with *Kufr* is *Kufr*. With this verse, and others like it, the scholars have demonstrated that he who is pleased with the sin is like the one who commits it and if he says that he hates it in his heart, it is not accepted from him because the judgments are upon their (outer) appearance and he has exhibited *Kufr*, so he would be a *Kāfir*." [18]

Therefore, one who merely remains present while the *Kufr* is being committed and does not leave and does not attempt to prevent that from taking place, takes the same ruling as the one who actually performs the *Kufr*. So what is to be said about those who assist and enable the *Kufr* and *Shirk* by electing a candidate on

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[15] "*Al-Jāmi Fī Talab Al-'Ilm Ash-Sharīf*" 1/151-152

[16] *An-Nisā'*, 140

[17] "*Fath Al-Qadīr*", Vol. 1/527

[18] "*Majmū'at At-Tawhīd*", Pg. 48

their behalf to legislate for the creation, laws, other than the laws of the *Sharī'ah*?! And keep in mind that these votes are the only method by which this individual member of parliament will be able to do so, because without the electoral support from the voters, he would not be in the position to perform this *Kufr* and *Shirk* in the first place!! So in this case, the voters are the ones who enable and assist this one to commit the *Kufr* and *Shirk* and they are not merely from those who sat silently while the verses of Allāh were mocked.

Once you make the connection between the role of the voters, during the election, and the subsequent *Kufr* and *Shirk* which is committed by the Member of Parliament when he is elected, there is no more room for doubt. And what is the difference between those who elect this individual as a lord besides Allāh to legislate the lawful and unlawful for them and those who take the sun or the moon as a lord besides Allāh to provide them with their sustenance and provision? By Allāh, the ruling upon them is the same.

## Refutation of the Doubts Related to the Participation in Democratic Elections

Those who permit the participation in democratic elections are at different levels in misguidance. There are some who believe that Democracy is an acceptable system of governance unrestrictedly [19] – and these are one extreme – and then there are others who only permit this participation based on certain misconceptions and doubts, which we shall address here:

1. ***The participation of Prophet Yūsuf, upon whom be peace, as a minister in the government of the King of Egypt.***

Allāh, the Most High, said:

**"And the king said: "Bring him to me that I may attach him to my person." Then, when he spoke to him, he said: "Verily, this day, you are with us high in rank and fully trusted." [Yūsuf] said: "Set me over the storehouses of the land; I will indeed guard them with full knowledge." Thus did We give full authority to Yūsuf in the land, to take possession therein, as when or where he likes."** [20]

[19] And the goal of this essay is not to address this more comprehensive topic; rather for those who are at this level of misguidance we recommend they refer to the aforementioned books, which discuss Democracy as a whole system and not merely the one aspect of electoral participation.

[20] *Yūsuf*, 54-56

So those who use the example of Yūsuf, upon whom be peace, use this to show that he became established in the government of the King and they conclude on the basis of this that if it is permissible to become a minister in a non-Muslim government, then surely it is permissible to vote for the least harmful candidate who will become a Member of Parliament to act on our behalf. [21]

And those who use this as evidence must have missed what Yūsuf, upon whom be peace, said to his two companions of the prison prior to his taking this position:

**"The *Hukm* (i.e. judgment) is for none but Allāh. He has commanded that you worship none but Him, that is the (true) straight religion, but most men know not."** [22]

So how could we say about Yūsuf, upon whom be peace, that he would compromise and cooperate in a government with those who legislate man-made laws, while he was the very one who admonished others about this issue, saying: **"The *Hukm* (i.e. judgment) is for none but Allāh?!"**

Firstly, those who use this example are in need of evidence to substantiate their claim that the law of this government was not in accordance with the *Sharī'ah* of Yūsuf, upon whom be peace. And there is nothing to indicate this within the example itself. Rather, it was narrated that the King whose Kingdom Yūsuf became a minister within became a Muslim.

Ibn Jarīr At-Tabarī narrated that Mujāhid said, "The King whom Yūsuf was with entered *Islām*."[23] And Al-Baghawī said, "Mujāhid and others said, 'Yūsuf, upon whom be peace, did not stop calling the King to *Islām* while being kind to him, until he and many of the people entered *Islām*."

Also, it is narrated that Yūsuf, upon whom be peace, was the ruler himself and his duties as Minister also was to govern Egypt.

Ibn Jarīr At-Tabarī narrated from As-Suddī that he said, "The King employed Yūsuf over Egypt and he was the person in authority and he (also) used to

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[21] And this was demonstrated by the author of "*To Vote or Not to Vote*", when he said, "He (i.e. Yūsuf) accepted a ministerial position in a government that was ruling by laws other than the Law of Allāh in order to achieve the greater good. It is accepted by these scholars that there is nothing in fact within our *Sharī'ah* that contradicts or abrogates such an action."

[22] *Yūsuf*, 40

[23] "*Jāmi' Al-Bayān 'An Ta'wīl Āy Al-Qur'ān*", Vol. 9/217

supervise the buying and the trade and all of its matters. So that was His saying: **"Thus did We give full authority to Yūsuf (Joseph) in the land, to take possession therein, as when or where he likes."**

Also, he narrated from Ibn Zayd concerning His saying: **"…to take possession therein, as when or where he likes…"** He said, "We put him in authority over whatever was in it (i.e. Egypt), wherever he willed from that place. He did in it whatever he willed. It was granted to him."

And Al-Qurtubī narrated that Ibn 'Abbās said about Yūsuf, "So he sat upon his bed and the Kings approached him. And the King entered his home with his women and the authority of Egypt was granted to him." Al-Qurtubī said, "And when the King gave the authority of Egypt to Yūsuf, he was generous to the people and called them to *Islām* until they believed in him and he established the justice amongst them. So the men and the women loved him. And from what has come from Wahb and As-Suddī and Ibn 'Abbās and others is the saying of the King to Yūsuf, when he saw his complete wisdom in implementing the ruling and spreading the justice: "I give you the authority, so do whatever you will. And we are merely your followers and I am not one to refuse being your subject and obeying you and I am no more than one of your subjects."[24]

If this is a possibility – that the King entered *Islām* - and quoting it as evidence becomes questionable, then it would be incorrect to use it, due to the principle: 'If possibility arises, the usage of it as evidence drops' (*Ithā Waradal-Ihtimāl, Batula Bihil-Istidlāl*).

Furthermore, the legislation of those before us, is a legislation for us – according to the majority of *Usūlīūn* - only if it does not contradict our legislation, and if one were to hypothesize, for sake of argument, that Yūsuf had not followed his own *Sharī'ah*, then we say, had he been alive today, he would have not had a choice but to follow what has been revealed upon Muhammad, peace and blessings be upon him.

As for some of the various other misconceptions, many of them center upon the application of specific known rules from *Islāmic* Jurisprudence (*Fiqh*). **[25]** From them:

2. ***The Rule: "The Lesser of Two Evils is Chosen"***

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[24] "*Al-Jāmi' Li-Ah'kām Al-Qur'aan*", Vol 9./215

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[25] Look to "*Sharh' Al-Qawā'id Al-Fiqhiyyah*" by Ahmad Az-Zarqā' – Rules #25-28

And with this rule, those who permit the participation in elections, use this to suggest that in voting for the candidate whose policies are the least in opposition to *Islām*, this is the selection of the lesser of the evils. Or they say that the choice between not voting at all and allowing a worse candidate to prevail is a greater evil than to vote for another one, whom they intend to elect due to his policies being closer to *Islām*. Like with most rules of *Islāmic* Jurisprudence, people often name a correct rule and then implement it either incorrectly or in circumstances where it would not apply.

The error of those who use this rule is that it can only be applied when the choices are inevitable. An example of this rule is when someone is faced with two choices that are completely unavoidable, each of which are impermissible. So if a person was in a situation where they are being compelled to choose between two issues that are both essentially impermissible, the lesser of the two sinful choices is to be selected. As one brother put it:

When one attempts to implement this principle in this situation, it is akin to him drinking alcohol in the following scenario: A brother invites another to his home. There, he offers him two glasses of alcohol, one with 50% alcohol, and one with 25% alcohol. He chooses the latter.

As for the participation in these democratic elections, there is no compulsion whatsoever, so there can be no excuse for committing this *Shirk* by using the excuse of "the lesser of two evils." [26] Rather, we say that choosing to commit the act of *Shirk* – sending someone to rule according to man-made law instead of the *Sharī'ah* of Allāh – is a far worse evil than abstaining from voting in this *Tāghūt*-oriented system. So in reality, it would be like the person choosing the 50% alcohol over the 25%.

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[26] Strangely, even the author of the article "*To Vote or Not to Vote*", used this excuse in the article immediately after seemingly agreeing that this rule is only to be applied when one is compelled to choose between multiple impermissible acts, as he said: "One of the most fundamental principles that the religion of *Islām* is based upon, is that if a person is presented with two evils **and has no choice but to perform one of them,** then he wards off the greater evil (or *harām*) even if it means performing a lesser evil (or *harām*). *Imām* Ibn Taymiyyah (may Allāh have mercy upon him) said, "The *Sharī'ah* has been revealed to obtain all possible benefits and to prevent as much harm as possible and reduce it. Its aim is to produce the best possible scenario from two good options if both cannot be achieved together, and to ward off the worst of two evils **if both evils cannot be prevented.**" ("*Al-Fatāwa*", 23/343)

And after the author of "*Why Vote, and Who to Vote For?*" used this rule to permit the participation in democratic elections, he said, "It is clearly apparent that individuals are sometimes placed in a situation in which **they are compelled to make decisions which may normally be deemed unacceptable** or which may be far from their liking, due to the fact that it is the best available option open to them."

### 3. *The rule: "The Benefit is Taken over the Harm"*

And this rule is similar to the one which has passed. Those who use this rule to permit the participation in democratic elections say that the benefits that result in electing a candidate whose policies are the least harmful to the Muslims, outweigh the harm of other candidates, whose policies are more threatening towards them. [27]

Firstly, the claimed benefits of electing a candidate within a democratic election – while this is *Shirk*, as it has passed – does not permit the action being encouraged. This is because the one who participates in this action is in reality seeking a benefit from Allāh while violating the sanctities of His *Tawhīd*. In his rebuke of Dr. Safar Al-Hawālī's "Open Letter to George W. Bush", *Shaykh* Abū Basīr Mustafā Halīmah, said the following regarding Al-Hawālī's mentioning that he had encouraged the Muslims in the United States to vote for President Bush:

"I say: The words of the *Shaykh* (i.e. Safar Al-Hawālī) here are false and rejected for different reasons. From them, it was wrong for him to encourage the Muslims to participate in the game of Democracy, which is in place in America and that which takes place due to it from mistakes in creed (i.e. *'Aqīdah*) and *Sharī'ah*, whose results are unpraiseworthy, **and which can not be excused no matter how many benefits are claimed.** So how about here when it opposes the fundamentals of the *Sharī'ah* and its general matters, as we have clarified in many places throughout our projects?!" [28]

And even if we were to concede that there are actual benefits in the participation in democratic elections, this still does not make the action permissible. As Allāh, the Most High, said:

**"They ask you concerning alcohol and gambling. Say: "In them is a great sin, and (some) benefit for men, but the sin of them is greater than their benefit."** [29]

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[27] And the author of "*Why Vote and Who to Vote For?"* used this logic when he said: "Voting itself is not obligatory or recommended according *Islāmic* law, rather the aim behind it is to achieve the greatest benefit for Muslims or avoiding evil." And the author of "*To Vote or Not to Vote*" listed the benefits he saw from participating in the democratic elections and then went on to say: "With that and in conclusion, it is the opinion of this author that due to the situation we face in our lives today, the Muslims of the UK should get politically involved in the various forthcoming electoral processes in order to achieve various *Sharī'ah* benefits."

[28] "*Waqafāt Ma' Ash-Shaykh Safar*", Pg. 18

[29] *Al-Baqarah*, 219

And with that, Allāh said:

**"O you who believe! Alcohol, gambling, *Al-Ansāb*, and *Al-Azlām* (arrows for seeking luck or decision) are an abomination of *Shaytān's* handiwork. So avoid (strictly all) that in order that you may be successful."** [30]

In his *Tafsīr* of the first verse, Ibn Kathīr said, "As for their benefit (alcohol and gambling), it is material, including benefit for the body, digesting the food, getting rid of the excrements, sharpening the mind, bringing about a joyous sensation and financially benefiting from their sale. Also, (their benefit includes) earnings through gambling that one uses to spend on his family and on himself. Yet, these benefits are outweighed by the clear harm that they cause which affects the mind and the religion. This is why Allāh said: …**but the sin of them is greater than their benefit.**"[31]

And likewise, even if we were to concede that their may be a benefit in participating in democratic elections, [32] the harm upon one's religion in committing this act of *Shirk*, by sending someone to legislate laws besides Allāh is far greater upon one's religion and faith than any possible benefits. And we say with all certainty that *Shirk* is far more harmful to the slave than any intoxicant or gambling and its effect is far more threatening.

### 4. *The Rule: "Actions are Based on Intentions"*

And those who apply this principle say that as long as one's intention is to lessen the oppression upon the Muslims, or to provide them some relief or things of this nature, then the action becomes permissible. And they say that as long as one does not intend by his participation in democratic elections to commit any evil and as long as the only intent is to bring about the good, then this permits the action and makes it praiseworthy.

And we say that this error in logical thinking is not only prevalent in the topic we are addressing, but it also permeates other serious topics as well. Therefore, we will give it some detail here, *Inshā'allāh*.

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[30] *Al-Mā'idah*, 90

[31] "*Tafsīr Al-Qur'ān Al-'Athīm*" 1/345

[32] And this is yet to be proven as the outcome of the election is not certain nor is any action of the party or Member of Parliament who takes power. What is certain; however, is that in order to reach these claimed benefits, one must engage in an act of *Shirk*, as it has passed.

The first point is that sins do not stop being sinful due to the intention of the one who commits them. Abū Hāmid Al-Ghazālī, may Allāh be merciful to him, said, "The sins; they do not change their nature by the intention. So the ignorant one must understand that from the generality of his saying, peace be upon him: "***Actions are based on intentions***", then thinks that a sin can be turned into an obedience by (a good) intention, such as the person who backbites a man to please the heart of someone else, feeds a needy person with someone else's money or builds a school, a mosque or a military camp with unlawful money, while his intention is to do good. This is all ignorance, and the intention has no effect in ruling out its being a transgression, a wrongdoing and a sin. In fact, his intending to do good by an evil means – which opposes the requirement of the *Sharī'ah* – is another evil. So if he is aware of this (evil means), then he is stubborn in regards to the *Sharī'ah*. But if he ignores it, then he is sinful for being ignorant, because seeking knowledge is obligatory upon every Muslim. In addition, since good things can only be known as such by the *Sharī'ah*, how can an evil be good, then? That is very unlikely. As a matter of fact, the things which cause this in the heart are the hidden pleasure and the inner desire…"

Then he went on to say, "What is implied is that whoever ignorantly intends to do good by means of a sin, he will not be excused, unless he is new in *Islām* and does not have the time wherein he can acquire the knowledge, and Allāh, the Most High, indeed said: **"So ask those who possess the Reminder if you know not."** [33]

And he (i.e. Al-Ghazālī) further said - "Therefore his saying, peace be upon him: ***"Actions are based on intentions"*** is restricted, as far as the three categories are concerned, to obediences and permitted things (i.e. *Mubāhāt*), but not to sins. This is because an obedience can be turned into a sin by the (the wrong) intention. Also the permitted action (i.e. *Mubāh*) can be turned into a sin or an obedience by the intention. **In contrast, a sin can never be turned into an obedience by the (good) intention.** Yes, the intention could have an interference in it (i.e. the sin); and that is when (other) evil intentions are added to it, and which would increase its burden and its great evil result – as we have mentioned in the Book of Repentance." [34]

And in his refutation of the *Fatwā* of *Shaykh* 'Abdul-'Azīz Ibn Bāz, who permitted becoming a Member of Parliament and the participation in democratic elections, based on the rule: "Actions are Based on Intentions", [35] the *Shaykh*, 'Abdul-Qādir Ibn 'Abdil-'Azīz, said:

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[33] *An-Nahl*, 43

[34] "*Ihyā' Ulūm Ad-Dīn* ", Vol. 4/388-391

"I say that this *Fatwā* is wrong, according to what we have quoted from Al-Ghazālī, that sins do not become permissible by the intention. Besides, the *Kufr* is the greatest of sins. So as joining the Parliament is *Kufr*, it will not become permissible by the intention. This is because (of the fact) that the Parliament is the means by which the democratic system is implemented. So knowing the verdict of participating in it or electing (a member) relies on knowing the verdict of democracy, the verdict of which is dependent on knowing its reality." [36]

Therefore the intention is not a factor in permitting a sin as long as the one is aware that it is a sin. And it does not permit committing *Kufr* or *Shirk* even if the intention for the outcome of that action is a benefit or relief for the Muslims. If this were the case, then we would permit the selling of Bibles and idols so that the proceeds could be donated to the Muslims in need, and no one would permit such a thing.

### 5. *The Rule: "Commanding the Good and Forbidding the Evil"*

Those who use this rule say that to vote for the least harmful candidate in the democratic election, or to vote for him based on some of his good policies which are in opposition to the evil policies of his opponents; then this is a form of commanding the good and forbidding the evil. [37]

So our reply to this is that participating in the democratic elections is itself an evil which is to be forbidden, as it seeks to associate the desires of men with the

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[35] And this *Fatwā* was issued in "*Liwā' Al-Islām*" magazine, issue #11, 1409 H. Pg. 7

[36] "*Al-Jāmi Fī Talab Al-'Ilm Ash-Sharīf*" 1/147-148

[37] The author of "*To Vote or Not to Vote*" mentioned this rule not only to permit the participation in the democratic elections, but rather to obligate it, when he said: "Numerous texts from the *Qur'ān* and *Sunnah* prove that to enjoin good and forbid evil is an intrinsic part of Faith, and therefore one of the greatest communal obligations in *Islām*, as Allāh says, **"You are the best nation ever to be brought forth for people. You enjoin the good and forbid the evil, and you believe in Allāh."** (*Āl-'Imrān*, 110) Based upon this, it is mandatory that every Muslim change the evil in his or her life. Undoubtedly, if we have the ability to potentially delay and disrupt the plans of those who are in power then this becomes an obligation for us."

And the author of "Why *Vote and Who to Vote For?* " seemed to do the same when he said: "…the Muslims are recommended or <u>even obliged to vote for the party who will be of most benefit on a national and international level</u>, who will increase upon that which is good, or at the least, lessen the extent of the current evil prevalent in the world today. At the same time, the Muslims should exert the utmost effort to oppose those whose policies are against the welfare of humanity." We ask Allah for protection.

Legislation of Allāh, the Most High. And if this concept is clear in the mind of the reader, then the argument that voting for a candidate in a democratic election – which is *Shirk*, is equal to the commanding of the good and the forbidding of the evil – which is obligatory, then he will see that this is the exact opposite and reversal of the ruling, which was applied incorrectly in the first place. [38]

From the known conditions of commanding the good and forbidding the evil is that it must be done by means of permissible methods. Thus, it is not allowed to kill a man to stop him from stealing, and it is not allowed to cheat a Muslim out of his money in order to keep him from paying interest (*Ribā*) and it is not allowed to kidnap a man's family in order to keep him from beating them. This is not hidden from the one with the most basic understanding of commanding the good and forbidding the evil.

Another condition is that the outcome of that commanding or forbidding must not result in a greater evil. *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, said, "And if those commanding and forbidding know that the outcome of their action will have an inseparable combination of good and evil, then they are not allowed to do it until they evaluate its outcome. If the good would be predominant, then they should proceed with it. And if the evil would be predominant, then they are prohibited from doing it, even if it entails the loss of a lesser good. In this case, commanding the good that would result in more wrong would be an act of commanding evil and promoting disobedience to Allāh and His Messenger." [39]

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[38] And from the worst things that came in the article "*Why Vote and Who to Vote For?*" was the author's statement: "Some Muslims might come to the conclusion that abstention from the electoral process is better for *Islām* and the Muslims. If this is what an individual believes, then he should not impose his opinion upon other Muslims, by preventing them from voting or insisting that they abandon voting by arguing that it is an act of *Kufr*. This would be tantamount to injustice and oppression."

So is this the same author who earlier obligated the participation in the democratic elections with the rule of commanding the good and forbidding the evil?! And is this the same one who now forbids those of us who see the *Shirk* of this action, from preventing the Muslims from falling into it?! And even if he does not see this action as impermissible, how can he forbid those Muslims who do see the clear and manifest *Shirk* of delegating a representative to legislate man-made laws on their behalf in a Parliament of *Kufr*, from commanding the good and forbidding the evil?! Why is it appropriate for him to command the good (as he sees it), while we are not permitted to forbid the evil (as we see it)?! And how can he call our commanding the good and forbidding the evil "injustice and oppression"?! Is it not he who has "imposed his opinion" upon us?! And there is no doubt that this individual has reversed the rule in this case and that he has taken it upon himself to restrict its application to those matters, which he views as obligatory – even though it is he, himself, who has fallen into the misconceptions concerning this matter. So this one should fear Allāh!!

[39] "*Al-Amru Bil-Ma'rūfi Wan-Nahyu 'An Al-Munkar*", Pg. 21

And Ibn al-Qayyim, may Allāh be merciful to him, said, "So if one's act of forbidding the evil will lead to what is worse and more hated by Allāh and His Messenger, then it is not allowed to forbid it, even though Allāh hates it (i.e. that evil) and hates those who do it." **[40]**

So the attempts to forbid the evil, by those who call to participation in the democratic elections, are paid for by the price of *Shirk* and disobedience. So examine the scale. Even though we agree with our brothers about the terrible and grievous situation faced today by the Muslims in 'Irāq and elsewhere, we weigh this against the act of *Shirk*, which we are being invited to, with the intent of reducing this oppression of these Muslims. Allāh, the Most High, said:

**And '*Al-Fitnah*' is worse than killing. [41]**

And He, the Most High, said:

**…and '*Al-Fitnah*' is greater than the killing. [42]**

And here, the word "*Al-Fitnah*" means the *Shirk* and *Kufr*, as it has come in the books of *Tafsīr*. *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, said about these verses, "In other words, that the killing; even if there is an evil and malevolence in it, then in the *Fitnah* of the disbelievers, there is from the evil and malevolence which is even greater than it." **[43]**

And *Shaykh* 'Alī Al-Khudayr mentioned in his chapter: "Calling to the Testimony of '*Lā Ilāha Ill-Allāh*' that *Shaykh* Sulaymān Ibn Sahmān said about these verses: "*Al-Fitnah*' is the *Kufr*. So if all the Bedouins and the city dwellers (i.e. all the people) fight until they are all gone, that would be less severe than them establishing a *Tāghūt* in the land who rules with what contradicts the *Sharī'ah* of *Islām*." **[44]**

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[40] "*'I'lām Al-Muwāqqi'īn*", Vol. 3/4

[41] *Al-Baqarah*, 191

[42] *Al-Baqarah*, 217

[43] "*Al-Fatāwa* ", Vol. 28/355

[44] Look to "*Al-Jam'u Wat-Tajrīd Fī Sharhi Kitāb At-Tawhīd* ", Pg. 121

Therefore there is no doubt that to commit an act of *Shirk* with the intention of reducing the harm upon other Muslims (even when this harm reaches the level of death), then the *Shirk* is a greater evil and can not be performed as part of commanding the good and forbidding the evil, as the evil of that action outweighs the evil of the harm upon the Muslims. [45]

### 6. *The Rule: "The Necessity Permits the Unlawful"*

So those who use this rule say that the Muslims are in a situation of necessity (*Dharūrah*) wherein performing unlawful actions, such as participating in the democratic elections becomes permissible. [46]

As for the usage to this rule then the reader must know that it is not absolute. Rather, there are exceptions and stipulations to this rule which make it inapplicable to the participation in democratic elections.

Firstly, there are matters that do not qualify as necessities. Therefore, one must be careful not to apply the concession of this rule to something that does not even qualify as a necessity. And it is known that the necessities are five basic categories; one's religion, one's self (life), one's mind (i.e. sanity), one's linage/honor, and one's money. [47] Therefore, it is not permissible for one to commit fornication or marry someone who is essentially unweddable (i.e. *Mahram*) due to his sexual desires and then for him to excuse his sin with the above rule. Therefore, we see that only certain matters fall into necessities and not all things can be permitted with the application of this rule.

Secondly, when it comes to *Kufr* and *Shirk*, there is no excuse to perform it due to a necessity (*Dharūrah*). This is because committing *Kufr* or *Shirk* is a violation of one of the categories of necessity itself; one's religion, as it has passed. Rather, it is in violation of the greatest necessity of all; one's religion. So how can one seek

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[45] And this ties in with the next two rules so pay attention to how these are linked.

[46] And it seems from the aforementioned quotation of the author of "*To Vote or Not to Vote*", that he recognizes that fundamentally this is not permitted; however, it seems that he viewed necessity, among other things, to permit it when he said: "One may ask, 'What if there is no *Sharī'ah* being implemented, so what shall we do then? Do we have any other option other than what is in front of us?'"

And the author of "*Why Vote, and Who to Vote For?*" seems to concur when he said, "…the Muslims must endeavor to carry out the necessary means that enable them to achieve this objective."

[47] Look to "*Fath Al-Bārī* ", Vol. 1/179

to justify the preservation of one necessity at the expense of another? Rather, the only time it is permitted is when one is under compulsion (*Ikrāh*). **[48]**

And how could we look to some examples where it is permissible to perform a sin, based upon a legitimate necessity and then use that comparison to permit the performance of an act of *Kufr* or *Shirk*?

*Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, said, "Verily, the things which are forbidden; from them is that which is clearly stated that the (*Islāmic*) legislation did not permit anything from it; neither for necessity or for other than necessity, such as *Shirk* and illegal sexual acts and speaking about Allāh without knowledge and the clear transgression. And they are the four things mentioned in His, the Most High's, statement: **"Say: 'The things that my Lord has indeed forbidden are the great evil sins, whether committed openly or secretly, sins (of all kinds), unrighteous oppression, making *Shirk* with Allāh for which He has given no authority, and saying things about Allāh of which you have no knowledge." [49]** So these things are forbidden in all of the *Sharī'ah*s. And with this prohibition, Allāh sent all of the Messengers and He did not permit anything from them whatsoever, not in any condition from the conditions. And due to this, they were revealed in a Makkah chapter (i.e. at the beginning of the Revelation)." **[50]**

*Shaykh* 'Alī Al-Khudayr narrated from *Shaykh* Hamad Ibn 'Atīq, who said, "He, the Most High, said: **"He has forbidden you only the *Maytah* (dead animals), and blood, and flesh of swine, and that which is slaughtered in sacrifice for other than Allah. But if one is forced by necessity without willful disobedience nor out of transgression of limits, then there is no sin on him." [51]** So it was made a condition, while necessity exists, that the one who eats it, does so without willful disobedience or transgression. And the difference between the two conditions is not hidden (meaning between compulsion and necessity)." And he (i.e. Ibn 'Atīq) said, "And in the permissibility of the dead (meat) for the one in need, is there anything that indicates the permissibility of voluntary apostasy?! And is this comparison anything like the comparison of marrying one's sister or daughter, based upon the permissibility of marrying the free one marrying the slave, when he fears fornication and inability (to marry a free

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[48] And we shall address this within the next rule, *Inshā'-Allāh.*

[49] *Al-'Arāf*, 33

[50] "*Al-Fatāwa* ", Vol. 14/470-471

[51] *Al-Baqarah*, 173

woman)? So this purveyor of doubt has added more than the comparison of those who said: **"Trading is only like *Ribā* (usury)."** [52] [53]

And *Shaykh* 'Alī Al-Khudayr continued, "And we say: Is there in the permissibility of the dead (meat) for the one who is in need, anything to indicate the permissibility of entering into the councils of *Shirk* voluntarily, while allying oneself with the secularists and the *Tāghūt*-oriented governments by using the argument of 'the benefits of the *Daw'ah*'?!" [54]

7. ***The Rule: "Kufr is Excused Due to Compulsion"***

Once since it is established that *Kufr* and *Shirk* are not permitted by necessity, as it has passed in the previous rule, the next step is to validate the participation in democratic elections by using this rule. And those who use this rule attempt to show that the situation is so dire, that it is a matter of compulsion (*Ikrāh*). [55] And we say that if a person were truly compelled to participate in the democratic elections, then this rule would excuse him and there would be no blame on him for doing so.

However, the definition and conditions for compulsion are not found in the situation we are discussing. Firstly, the definition of compulsion (*Ikrāh*) necessitates that one is literally being forced to do something, and not that he voluntarily does it.

'Alā' Ad-Dīn Al-Bukhārī defined compulsion as: "Holding another person upon a matter, which he refused to do, through his fear that the one who is committing it (i.e. the compulsion) is able to implement it (i.e. his threat). So the other one becomes fearful and his being satisfied is removed, due to the implementation (of this compulsion)." [56]

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[52] *Al-Baqarah*, 275

[53] "*Hidāyat At-Tarīq* ", Pg. 151

[54] "*Al-Jam'u Wat-Tajrīd Fī Sharhī Kitāb At-Tawhīd* ", Pg. 121

[55] And the author of "*Why Vote, and Who to Vote For?*" seemed to use this terminology when he said: "It is clearly apparent that individuals are sometimes placed in a situation in which they are compelled to make decisions which may normally be deemed unacceptable…"

[56] "*Kashf Al-Asrār* ", Vol. 4/482

And Dr. Muhammad Ibn ‘Abdillāh Al-Wuhaybī said, “It is the type which takes place upon the compelled one himself and the individual has no more ability or choice due to that.” [57]

Therefore, the one who uses this rule to permit the participation in the democratic elections can not claim that this is compulsion (*Ikrāh*). And the mere fact that the Muslims are being called to do this action voluntarily is the clearest proof that they are not being compelled to commit it.

As for the conditions of compulsion (*Ikrāh*), Ibn Hajr said, “And the conditions of compulsion are four. The first is that the one committing it is able to implement what he is threatening with, while the one being threatened is unable to repel that (threat) even by fleeing. The second is that it is his strong assumption that if he refuses (to comply) then this (threat) will be put upon him. The third is that what he threatened with is immediate. So if he says, ‘If you do not do this, I will beat you tomorrow,’ he is not considered a compelled one. And an exception from that is if he mentioned an amount of time, which is very near or if customarily he does not backtrack. The forth is that nothing is shown by the commanded one that would indicate his voluntary compliance.” [58]

Therefore this is a correct rule and if one were truly compelled to participate in the democratic elections, this would excuse him from the *Kufr* and *Shirk* he committed thereby. However, it is clear that what is being called compulsion, in this case, does not meet the definition of compulsion (*Ikrāh*), nor does it meet the criteria for the conditions for it to be valid.

## A point concerning compulsion:

What is happening to our Muslim brothers and sisters in places like ‘Irāq and elsewhere, in this time, does actually put many of them in the types of situations that would qualify as compulsion (*Ikrāh*), both in definition and in accordance with its conditions to be valid. And there is no doubt that these things have taken place and that the enemies of Allāh, may Allāh curse them, have tortured, killed, raped and mutilated our people. Anyone who hears some of the details of these incidents would agree that if many of these Muslims were in such circumstances and were being forced to commit *Kufr* or *Shirk* in order to have that torture stop, then they would be excused by the rule above.

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[57] “*Nawāqidh Al-Īmān Al-I’tiqādiyyah Wa Dhawābit At-Takfīr ‘Ind As-Salaf*”, Vol. 2/7

[58] “*Fath Al-Bārī* ”, Vol. 12/311

However, the reality is that those who call to participate in the democratic elections are not being compelled by those who commit these acts against our Muslim brothers and sisters elsewhere. And for this reason, there is no application of this rule to permit one group of Muslims in one part of the world to commit *Kufr* or *Shirk* on behalf of those Muslims who are suffering at the hands of their enemies, in another part of the world. And this terrible reality does not take away from the fact that those who call to voting for Members of Parliament and those who vote for them are not being compelled to do so nor are the conditions present to call this compulsion.

## The Ruling Upon Those Who Participate in the Democratic Elections

As for those who participate in this *Shirk*, then there is no doubt that they are committing *Kufr* and that their action is not permitted due to any of the aforementioned doubts and misconceptions listed here. However, what is equally certain is that most of our brothers and sisters who call to and participate in the democratic elections do not know the full reality of what this action implies. This is one point.

Secondly, it is clear that most of those who do participate in the democratic elections only do so intending to bring about some good or to reduce some harm. And although we do not say that the intention of the one who performs *Kufr* or *Shirk* can stop that action from being described as such, what is correct is that the ignorance of the one committing this *Shirk*, while believing it to be a good action and intending obedience with that, is a preventative factor from the preventative factors of declaring them to be disbelievers.

Therefore, we do not stop calling this action *Shirk* and *Kufr*, even if those who perform it intend good and virtue. **[59]** But since they are ignorant concerning the reality of this action and because the matter becomes confusing due to the verdicts (*Fatāwa*) of scholars who permitted it, based on some of the rules we have refuted, then immediately holding one upon the *Kufr* of this action is an extremist reaction and we do not do so until the matter has been clarified to him and all of his misconceptions are removed.

In his warning to those who go to extremes in the matter of declaring disbelief (*Takfīr*) of others, Abū Muhammad ʻĀsim Al-Maqdisī said the following about

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[59] Refer to the section "**The Rule: Actions are Based on Intentions**" and the explanation of Abū Hāmid Al-Ghazālī.

those who rush to perform *Takfīr* of those who participate in the democratic elections:

“And from them are those who are brought and he sees those elaborate (campaign) posters, which have written upon them in bold text: ***“Islām* is the Solution”**, and the likes of that from the slogans, which the legislating polytheists deceive the general Muslims with. So they vote for them and choose them, due to their love for *Islām* and due to allegiance to its *Sharī'ah* and they do not know or do not intend the dead-end street of *Shirk*, which those representatives take to rule with some of the penalties of the (*Islāmic*) legislation in their claim. So this must all be considered with those who do not directly take legislation or take an oath to honor the laws of *Kufr* or take the judgment to them or other than that from the statements and actions of *Kufr*, which the representatives commit. As it is known that the voter does not do all of that, nor does he commit it. Rather, he only elects and delegates on his behalf, the one whom he chooses.”

And then he went on to say, “And due to that, it is not permitted to rush to declare the disbelief (*Takfīr*) in the likes of him, except after establishing the clarification and making the reality of the actions of the legislating representatives plain to him, and that what they commit from the actions of *Kufr*, which nullify the religion of *Islām* and the *Tawhīd* of the Lord of all the Worlds. Then if he insists on voting for them after that (clarification), then he disbelieves. So it is a must to differentiate regarding the voters, between the one who did not intend that – rather he intended to choose something other than a legislator. So the second one is not made *Takfīr* to, except after establishing of the proof, because he; even though outwardly he has committed an act of *Kufr*, according to those who do not know his intention, but the misunderstanding of the situation and the misconceptions (surrounding it) and the fact that Democracy and Parliaments are under titles and names and phrases, which are foreign, some of the people began committing acts, while not being aware of their reality. So it is from the category of the one who issues a statement or utters a saying, which he does not know its meaning.” [60]

So it is obligatory upon those who understand the reality of the ruling of Democracy and in particular, the ruling upon participating in democratic elections, to make this issue clear to the people and to clarify and remove these misconceptions.

## Conclusion:

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[60] “*Ar-Risālah Ath-Thalāthīniyyah Fī At-Tah'thīri Min Al-Ghulūwwi Fit-Takfīr* ”, Pg. 418

O reader, there is no doubt that the Muslims are facing terrible atrocities in our time. And the eyes are wet with tears and the heart is full of rage seeing the images and hearing the news of our brothers and sisters being faced with these current circumstances. Anyone who does not feel anguish and depression when they reflect upon the current reality must question their faith and examine their dead heart.

And at the same time, we remind our brothers and sisters not to be deceived by the traps of the *Shaytān* who wishes to lead them astray. And we must beware not to allow ourselves to be taken advantage of by those who would like to exploit our sympathies and our fears so that we fall into the *Shirk*, thinking that we are performing righteous deeds.

And with that in mind, we do not forbid the participation in certain political activities, which do not involve *Shirk* or *Kufr*, as long as one does so in compliance with the *Sunnah* and does not fall into misguidance concerning that, such as demonstrations and rallies and campaigns and other than that from the politically-oriented activities, which do not enter into the prohibitions of the *Sharī'ah*.

In closing, this is what we have been able to produce in response to this recent debate, which has been sparked recently and it has been our intention to address the particular issue of participating in the democratic elections and refuting some of the claims of those who call to this. And if what has been presented is correct, then it is due to Allāh, the Most High, and any errors or shortcomings are due to ourselves and the *Shaytān*, from whom we seek refuge in Allāh. And may the peace and blessings of Allāh be upon our Prophet Muhammad, and upon his family and his companions until the Last Day.

20 Rabī' Ath-Thānī, 1425/ Tuesday, June 08, 2004

At-Tibyān Publications

# Appendix One: A Concise *Fatwā* On The Ruling on Participating in Elections

**Participating in the Legislative Elections in the Lands of Disbelief[61]**

In the name of Allāh, the Beneficent, the Merciful

Brother and *Shaykh*, Abū Muhammad Al-Maqdisī, H*afithahullāhu Ta'āla Wa Ra'āh,*

*Assalāmu 'Alaykum Wa Rahmatullāh*ī *Wa Barakātuh,*

My question is on the ruling on participating in the legislative elections in the lands of *kufr*, and in specific in America, for I have been informed that some of the *Mashāyikh* permit this, nay, some of them even raised the level of this ruling to make it obligatory to participate in the elections that will occur in America, on the basis that this will benefit the Muslims there. And they – i.e. those *Mashāyikh* – differentiate the ruling on those assemblies (parliaments) found in the lands of *kufr* and those found in the land of the Muslims. One of those intending to participate in these elections had informed me that the oath that they take before entering such elections are, "We believe in God" and "In God we trust", and this clearly differs from the ones done in the assemblies in the lands of the Muslims, and I am unsure of this, but this is what he told me; and if it is as he said, then is it permissible to participate in the elections for these legislative assemblies, and if this isn't permissible then what is the evidence for this?

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[61] Arabic obtained from: http://www.almaqdese.com/r?i=151&a=p

My other question branches off from the first, and it is, is the *'Illah* (cause) of (doing) *Takfīr* of those who participate in the legislative assemblies in the lands of the Muslims, the fact that they take an oath to obey the *Tāghūt*, meaning, if one were not to do that, would he not be a *Kāfir*?

I had read your book, *Ad-Dīmuqrātiyyah Dīn* (Democracy: A Religion), and did not find what fills me in on these two questions.

I hope O dear noble *Shaykh* that you clarify this matter for me, and I ask you to hasten in the reply to the first part of the question – the one to do with participating in elections in the lands that were never ruled by *Islām* – I hope your answer is posted on this site slightly before the elections in America, meaning as soon as possible, and may *Allāh* reward you.

Answer:

In the name of Allāh, praise be to Him, and may peace and blessings be upon His final Messenger.

Dear brother,

*Assalāmu 'Alaykum Wa Rahmatullahī Wa Barakātuh,*

What we believe and take as a religion, is that participating in the legislative assemblies is *Kufr*, and *Shirk* in Allāh, whether that be in the states of apostasy that are called "*Islāmic*" or in the lands of original *Kufr*, and this is because these assemblies give the right of legislating unlimitedly to humans, and not their Lord, and the evidences that such an action is from the clear *Mukaffirāt* (actions causing disbelief) and nullifiers of *Islām*, are many, and we had mentioned them in detail in our book *Ad-Dīmuqrātiyyah Dīn* (Democracy: A Religion)[62] and *Kashf An-Niqāb* (Uncovering the Veil) and others.

The reason for doing *Takfīr* of these assemblies is not only due to the oath that they take, so that if the oath is altered or played with the ruling of *Takfīr* is lifted.

Rather, there are several inescapable causes of *Takfīr*, and we mentioned these in the aforementioned books; the most dangerous of these is accepting the right that the constitution bestows upon the member, to legislate limitlessly, and to abide by that, and this is clear-cut *Kufr* whether the member (of parliament) legislates after that or not.

Also, seeking judgment from the *Tāghūt* and following in other than the path of the believes, and seeking other than *Islām* as a religion and methodology, and making the *Kufār* have authority over the disbelievers, and sitting with the *Kufār* while they ridicule the *Āyāt* of Allah, without *Ikrāh* (compulsion) and other than these from the *Mukaffirāt*, whose evidences are known from the Book and the *Sunnah*, and we have mentioned them elsewhere.

If you realize this, and (realize) that the greatest of *Masāliẖ* (benefits) in this entire creation is the implementation of *Tawẖīd* and *Barā`ah* (disavowal) from *Shirk* and the taking of partners (with Allah) – and it is the holding firmly unto *Al-Urwatul-Wuthqā* (the firm hand hold), *Laa Ilāha Ill-Allāh* – and to repel the harm (*Mafsadah*) of *Shirk*, which Allāh forgives everything other than, then it is not permissible to put forth any benefit ahead of this, of the numerous so-called benefits in the religion and the *Dunyā*.

This is what we believe and take as a religion unto Allāh in this aspect of the religion, and we know that many of the people differ with us, for we advise you and all the Muslims to flee to Allāh from this clear *Shirk* and *Kufr*, and not to fall for the *Fatāwa* of those who permit it, let alone those who obligate it; and whoever Allāh does not grant light (guidance), then there is no guidance for him.

May Allāh facilitate all good for us and you, and all the Muslims.

*Was-Salām*.